



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpgr.net

#23

Kerri Callais
Councilmember
at Large

Richard "Richie" Lewis
Councilmember
at Large

Gillis McCloskey
Councilmember
District A

Joshua "Josh" Moran
Councilmember
District B

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

Fred Everhardt, Jr.
Councilmember
District E

Roxanne Adams
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JULY 20, 2021 AT THREE O'CLOCK P.M.

On motion of Mrs. Alcon, seconded by Mr. Everhardt, it was moved to adopt the following ordinance:

ORDINANCE SBPC #2341-07-21

Summary No. 3912

Introduced by: Administration on 7/6/21
Public Hearing held on 7/20/21

AN ORDINANCE TO AUTHORIZE THE ACCEPTANCE BY ST. BERNARD PARISH GOVERNMENT OF THE DONATION OF CERTAIN REAL PROPERTY ADJACENT TO THE ST. BERNARD PARISH HOSPITAL AND FOR ENTRY INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE HOSPITAL SERVICE DISTRICT OF ST. BERNARD PARISH, STATE OF LOUISIANA WITH RESPECT TO THE MAINTENANCE OF SAME.

WHEREAS, the Arlene and Joseph Meraux Charitable Foundation (the "Foundation") and the Hospital Service District of St. Bernard Parish, State of Louisiana (the "District"), desire to donate to St. Bernard Parish Government (the "Parish") their respective interests in certain property containing an access road to the St. Bernard Parish Hospital so that the residents of St. Bernard Parish may have access to quality healthcare; and,

WHEREAS, it is in the best interest of St. Bernard Parish to accept this donation; and,

WHEREAS, in accordance with Section 14(C) of Article VII of the Constitution of Louisiana, La. R.S. 46:1077, and La. R.S. 33:1324, the Parish wishes to cooperate with the District to promote the continued effective operation of the public health unit therein; and,

WHEREAS, the St. Bernard Parish Council finds that serving the public health needs of the residents of St. Bernard Parish is a public purpose and obligation of the Parish.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION I. The St. Bernard Parish Council hereby authorizes the Parish President to execute an Act of Donation in the form attached hereto accepting the donation of the property described as:



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Page -2-

Extract #23 continued
July 20, 2021

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*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Joshua "Josh" Moran
*Councilmember
District B*

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A portion of the Meraux Airport Tract situated in a portion of Sections 75 and 76, Township 12 South, Range 12 East and Sections 10, 17 and 21, Township 13 South, Range 12 East, St. Helena Meridian, St. Bernard Parish, Louisiana.

Commencing at a point on the southerly right of way of West Judge Perez Drive (LA State Highway No. 39); thence N65°48'37"W along said southerly right of way of Judge Perez Drive for a distance of 1,612.73 feet to the point of beginning; thence S24°12'09"W for a distance of 390.09 feet; thence N65°47'51"W for a distance of 120.00 feet; thence N24°12'09"E for a distance of 390.06 feet to the aforesaid southerly right of way of West Judge Perez Drive; thence along said southerly right of way of Judge Perez Drive S65°48'37"W for a distance of 120.00 feet to the point of beginning, containing 46,809.286 square feet (1.075 acres) of land, more or less.

All in accordance with plan of resubdivision of portion of the Meraux Airport Tract and a portion of Lots A and B situated in a portion of Sections 49, 50, 75 and 76, Township 12 South, Range 12 East and a Portion of the Meraux Airport Tract and a Portion of Lots A and B into Tract M-2 and the remaining portions of the Meraux Airport Tract and a portion of Lots A & B situated in Sections 49, 50, 75 and 76, TI2S, RI2E, a portion of the Meraux Airport Tract and a portion of Lots A & B, situated in a portion of Sections 17 and 21, TI3S, RI2E, St. Helena Meridian, St. Bernard Parish, Louisiana, by BFM Corporation, dated August 14, 2009, revised September 22, 2009, approved by the St. Bernard Parish Planning Commission, under Resolution PC-R-18-09, dated September 22, 2009, and registered in COB 974, folio 157. (the "Property")

SECTION 2. The St. Bernard Parish Council hereby authorizes the Parish President to execute any other documents necessary to effectuate said donation, including but not limited to a Cooperative Endeavor Agreement in the form attached hereto delineating each parties' maintenance obligations with respect to the Property.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.



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Page -3-

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SECTION 4. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

SECTION 5. The Parish President is hereby authorized to enter into a contract for legal services as provided in the attached retention letter and in accordance with section 4-02 (b) of the Home Rule Charter.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20th day of July, 2021.


ROXANNE ADAMS
CLERK OF COUNCIL


RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

Delivered to the Parish President

7/23/2021 1:55pm

Date and Time

Received by

Magen Kelley

Approved



Vetoed





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Page -4
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July 20, 2021

Richard "Richie" Lewis
*Councilmember
at Large*

Parish President



Guy McInnis

Gillis McCloskey
*Councilmember
District A*

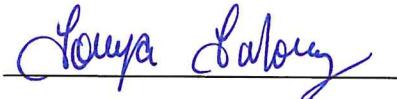
Returned to Clerk of the Council

7/27/2021 9:05am

Date and Time

Joshua "Josh" Moran
*Councilmember
District B*

Received by



Wanda Alcon
*Councilmember
District D*

Fred Everhardt, Jr.
*Councilmember
District E*

Roxanne Adams
Clerk of Council

COOPERATIVE ENDEAVOR AGREEMENT

This Cooperative Endeavor Agreement (the "Agreement") is effective this __ day of _____, 2021 (the "Effective Date"), by and among St. Bernard Parish Government (the "Parish") and the Hospital Service District of the Parish of St. Bernard, State of Louisiana, a hospital service district and political subdivision of the State of Louisiana (the "District").

WITNESSETH:

WHEREAS, the District and the Arlene and Joseph Meraux Charitable Foundation (the "Foundation") desire to donate to the Parish certain property described in **Exhibit "A"**, attached hereto and made a part hereof, together with all fixtures and all other component parts appurtenant to any of the foregoing and further including all rights, ways, privileges, servitudes, appurtenances and advantages thereupon belonging (the "Property"); and

WHEREAS, the Property fronts certain other property owned by the District containing a medical office building and hospital which service the Parish of St. Bernard; and

WHEREAS, the Parish has committed to provide a public health unit equivalent to that which existed prior to the devastation caused by Hurricane Katrina on August 29, 2005; and

WHEREAS, in accordance with Section 14(C) of Article VII of the Constitution of Louisiana, La. R.S. 46:1077, and La. R.S. 33:1324, the Parish wishes to cooperate with the District to promote the continued effective operation of the public health unit therein; and

WHEREAS, the Parish and the District declare that they are entering into this Agreement for the purpose of obtaining a tangible benefit and for a public purpose, namely, to operate the public health unit and to provide healthcare to low income citizens of St. Bernard Parish; and

WHEREAS, the Parish and the District find that serving the public health and primary care medical needs of the residents of St. Bernard Parish is a public purpose and obligation of the Parish and the District;

NOW THEREFORE, in consideration of the premises, the mutual covenants hereinafter contained, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby agree as follows:

1. The Parish shall be responsible for the maintenance of all currently existing curb cuts and pavement on the Property which permit ingress or egress to the medical office(s) and hospital located on property owned by the District;

2. The District shall be responsible for all grass cutting and maintenance of all plantings, landscaping, and plumbing associated with providing water for the landscaping on any portion of the Property which runs contiguous with property owned by the District; and
3. The District shall be responsible for the maintenance, lighting, repair and replacement of any sign(s) erected on the Property for identification of the medical office(s), hospital, or any future structures located on property owned by the District

THUS DONE AND SIGNED AT Chalmette, Louisiana on the _____ day of _____, 2021.

WITNESSES:

ST. BERNARD PARISH GOVERNMENT

GUY MCINNIS
Parish President

HOSPITAL SERVICE DISTRICT OF
ST. BERNARD, STATE OF LOUISIANA

By:
Its:

JUSTIN W. STEPHENS, Notary Public
Bar Roll Number 30987